

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

Imaging Systems Technology, Inc.,

Case No. 3:15 CV 335

Plaintiff,

O R D E R

-vs-

JUDGE JACK ZOUHARY

Materion Corporation, et al.,

Defendants.

This Court held a Phone Status on April 7, 2015. Counsel present: Mark Geudtner for Plaintiff; Matthew Cavanagh for Defendants.

This Court discussed with counsel the pending Motion to Dismiss Counts II and III (Doc. 10). The Motion is dismissed as moot based upon agreement with counsel as follows:

Count II (trade secret misappropriation) is dismissed without prejudice. If discovery in this case reveals grounds for asserting such a claim, Plaintiff will be allowed to file a motion for leave to amend the Complaint accordingly.

With respect to Count III (breach of contract), Plaintiff shall file an Amended Complaint by **April 17, 2015** adding Deep Springs -- a subsidiary of Imaging Systems Technology -- as a party plaintiff.

Finally, Defendants shall file under seal the Employment Contract which was attached to the Complaint in state court but was not attached to the removal papers filed in this Court.

IT IS SO ORDERED.

s/ Jack Zouhary
JACK ZOUHARY
U. S. DISTRICT JUDGE

April 8, 2015